

## **REMARKS/ARGUMENTS**

Claims 1-11 and 13-23 are pending in the Application. Applicants affirm the election of Group I claims 1-5, 11-15 and 23, and therefore, claims 6-10 and 17-22 are shown as "withdrawn" status. Please amend claim 2 as shown on the attached listing of the claims. Support for the amendment to claim 2 may be found, for example, in the application specification on page 14 lines 17-27 and Fig. 1 (see items 76 and 78 in Fig.1). Please amend claim 11 as shown to incorporate subject matter from claim 12, and please cancel claim 12. In addition, please amend claims 13 and 15 to correct dependency due to cancellation of claim 12. Therefore, as of this paper, claims 1-5, 11, 13-15 and 23 are presented for Examiner Butler's consideration.

Applicants thank the Examiner for including in the Office Action mailed March 22, 2006 signed copies of the Forms PTO-1449 sent with Applicants' Information Disclosure Statements received in the Office on January 26, 2004.

Pursuant to 37 C.F.R. § 1.111, reconsideration of the present application in view of the foregoing amendments and following remarks is respectfully requested.

### **Claims rejections, 35 U.S.C. §112 (claim 2)**

On page 3 of the Office Action mailed March 22, 2006, claim 2 was rejected under 35 U.S.C. 112. The Examiner stated that the term "substantially" was not sufficiently defined with respect to the placement location of the charging units to allow one skilled in the art to be reasonably apprised of the scope of the invention. Although Applicants do not necessarily agree with this objection nor believe this term to be unclear, Claim 2 is currently amended with this paper in the interest of advancing prosecution. As amended, claim 2 recites the charging units being staggered as can be seen, for example, in FIG. 1 and in FIG. 2B, and as is described in the application specification on page 14, lines 17-27 and on page 24, line 23 through page 25, line 18.

### **Provisional non-statutory double patenting rejections (claims 1, 11, 23)**

On pages 4 and 5 of the Office Action mailed March 22, 2006, claims 1, 11 and 23 were provisionally rejected on the basis of non-statutory double patenting over co-pending applications USSN 10/694,420, 10/325,140 and 10/687,006, all of which are assigned to

the assignee of the instant application. Because all four applications are pending and no claim scope has been determined for any of the four applications involved, Applicants respectfully request that these provisional rejections be held in abeyance with respect to the present application until such time as the presence of allowable subject matter is indicated.

**Claims rejections, 35 U.S.C. §102(b) (claims 11, 12, 24) and §102(e) (claim 11, 12)**

**WO 02/34990 to Schmit ("Schmit").**

On page 5-6 of the Office Action mailed March 22, 2006, the Examiner rejected claim 11 under 35 U.S.C. §102(b) as allegedly being anticipated by and thus unpatentable over WO 02/34990 to Schmit (U.S. PAP 2004/0028763 relied upon for translation) (hereinafter, "Schmit"). Due to the current amendment of claim 11, incorporating the subject matter of claim 12, which formed no part of this rejection over Schmit, Applicants believe this rejection to be now moot and respectfully request this rejection be withdrawn.

**U.S. Pat. No. 6,783,722 to Taylor ("Taylor").**

On page 6 of the Office Action mailed March 22, 2006, the Examiner rejected claims 11 and 12 under 35 U.S.C. §102(e) as allegedly being anticipated by and thus unpatentable over U.S. Pat. No. 6,783,722 to Taylor (hereinafter, "Taylor"). This rejection is respectfully **traversed** to the extent it may be applicable to the currently amended claim 11 (claim 12 currently canceled). Claim 11 presents a method of making a nonwoven web, including providing a plurality of fibers; subjecting the fibers to a pneumatic attenuation force in a drawing slot, the attenuation force imparting a velocity to the fibers; reducing the velocity of the fibers in a diffusion chamber, the diffusion chamber being formed substantially between opposed diverging sidewalls; subjecting the fibers to an applied electrostatic charge while the fibers are in the diffusion chamber, the electrostatic charge being applied by two or more oppositely directed electrostatic charging units wherein at least one electrostatic charging unit is located upon each of the diverging sidewalls; and thereafter collecting the fibers into a web on a moving forming surface.

As noted in the Office Action, Taylor teaches providing fibers, attenuating the fibers, reducing the fiber velocity in a diffusion chamber and subjecting the fibers to electrostatic

charging applied by a charging unit, and collecting the fibers. However, the Office Action went on to state that Taylor teaches the charging unit located on a diverging wall 58. Applicants submit that this is not a correct statement. Rather, as taught by Taylor the electrostatic charging unit 27 to impart a charge to the fibers is located at all times above the diffuser, and never located on the diverging wall of the diffuser. Please see FIG. 1 and FIG. 2 of Taylor, where the electrostatic charging unit (corona electrode assembly 27) is carried by a wall 16 of the attenuator, and FIG. 3 where the electrostatic charging unit (corona electrode assembly 27) is positioned above the entire attenuator and no where near the diffuser sidewalls. It should be noted that the power supply 58 mentioned in the Office Action does supply power to the diffuser sidewalls, specifically in order to repel or "steer" the already-charged fibers, but this does not equate to electrostatic charging units located upon the diverging sidewalls. In addition, it should also be noted that Taylor in no wise teaches the requirement of the claim of using of two or more oppositely directed charging units to apply charge the fibers, where at least one electrostatic charging unit is located upon each of the diverging sidewalls. Therefore, Applicants respectfully submit that Taylor does not teach or suggest all the elements of their invention as claimed in claim 11, and respectfully request that the 35 U.S.C. §102(e) rejection of claim 11 over Taylor be withdrawn.

FR 2,825,381 to Maggio ("Maggio '381")

On pages 6-7 of the Office Action mailed March 22, 2006, the Examiner rejected claim 11 under 35 U.S.C. §102(b) as allegedly being anticipated by and thus unpatentable over FR 2,825,381 to Maggio (US Pat. No. 6,974,316 relied upon for translation), (hereinafter, "Maggio '381"). This rejection is respectfully **traversed** to the extent it may be applicable to the currently amended claim 11. As a preliminary matter, Applicants point out that FR 2,825,381 appears to have been filed May 31, 2001 and published on December 05, 2002 (PCT) or December 6, 2002 (FR Publication), and as such according to the understanding of the Applicants is not properly available as art under 35 U.S.C. §102(b) as against Applicants' application filed October 27, 2003. In any event, due to the current amendment of claim 11 incorporating the subject matter of claim 12, which formed no part of this rejection over Maggio '381, Applicants believe this rejection to be now moot and respectfully request this rejection be withdrawn.

WO 00/65134 to Maggio ("Maggio `134")

On page 7 of the Office Action mailed March 22, 2006, the Examiner rejected claim 23 under 35 U.S.C. §102(b) as allegedly being anticipated by and thus unpatentable over WO 00/65134 to Maggio (US Pat. No. 6,966,762 relied upon for translation), (hereinafter, "Maggio `134"). This rejection is respectfully **traversed** to the extent it may be applicable to claim 23. Claim 23 presents a method of making a nonwoven web, including providing a plurality of fibers; subjecting the fibers to a pneumatic attenuation force in a drawing slot, the attenuation force imparting a velocity to the fibers; subjecting the fibers to an applied electrostatic charge applied by an electrostatic charging unit locate on one of the drawing slot sidewalls; reducing the velocity of the fibers in a diffusion chamber, the diffusion chamber being formed substantially between opposed diverging sidewalls; and collecting the fibers into a web on a moving forming surface, wherein the pneumatic attenuation force is provided by attenuation air entering the drawing slot only from the drawing slot sidewall opposing the drawing slot sidewall upon which the electrostatic charging unit is located.

As noted in the Office Action, Maggio `134 teaches providing fibers, attenuating the fibers, subjecting the fibers to electrostatic charging applied by a charging unit, reducing the fiber velocity in a diffusion chamber, and collecting the fibers. The Office Action went on to state that in Maggio `134, because the drawing slots 21 are on both sides, then the "attenuation air is from the drawing slot sidewall opposing the drawing slot sidewall since the slots are on both sides". While it is true that the slots are on both sides, and the sidewalls do oppose each other, this is not what is claimed in claim 23. Rather, claim 23 states that the attenuation air enters only from the sidewall opposite the sidewall having the charging unit. Therefore, it is clear that the air entering both slots on both sidewalls cannot be entering only from the side opposite the wall having the charging unit. Therefore, Applicants respectfully submit that Maggio `134 does not teach or suggest all the elements of their invention as claimed in claim 23, and respectfully request that the 35 U.S.C. §102(b) rejection of claim 23 over Maggio `134 be withdrawn.

**Claims rejections, 35 U.S.C. §103 (claims 1-5 and 12-16)**

**WO 02/52071 to Haynes ("Haynes `071") in view of Maggio `134**

On pages 7 and 8 of the Office Action mailed March 22, 2006, the Examiner rejected claims 1 and 3 under 35 U.S.C. §103(a) as allegedly being obvious over "Haynes `071 (WO 02/05071)" in view of Maggio `134. However, WO 02/05071 pertains to an unrelated field ("COMPUTER DEVICE FOR DECRYPTING ENCRYPTED DATA") and names an inventor other than Haynes. After some investigation, document WO 02/52071 to Haynes was located and Applicants presume the Examiner rather intended to cite this document (WO 02/52071 to Haynes (hereinafter, "Haynes `071")). Applicants request notification if this understanding is not correct. This rejection is respectfully **traversed** to the extent it may be applicable to claim 1. Claim 1 presents a method of making a nonwoven web, including providing a plurality of fibers; subjecting the fibers to a pneumatic attenuation force in a drawing slot, the attenuation force imparting a velocity to the fibers; reducing the velocity of the fibers in a diffusion chamber, the diffusion chamber being formed substantially between opposed diverging sidewalls; subjecting the fibers to an applied electrostatic charge before the fibers enter the diffusion chamber, the electrostatic charge being applied by two or more oppositely directed electrostatic charging units; and thereafter collecting the fibers into a web on a moving forming surface. In dependent claim 3, the opposed diverging sidewalls are unvented.

In the Office Action, attention was directed to Haynes `071 at Fig. 1 and it was stated that Haynes `071 teaches providing the plurality of fibers, subjecting the fibers to attenuation in a drawing slot, subjecting the fibers to an applied electrostatic charge at the end of the draw slot, the charging units being oppositely directed, and collecting the fibers. The Office Action stated that Haynes `071 does not teach a diffusion chamber and combined therewith Maggio `134, which teaches a diffusion chamber, with the motive apparently being "to adjust the width of the bundle of fibers and impact speed of the filaments on the receiving belt". Attention was directed to Maggio `134 at col. 3 lines 39-43.

Applicants submit first that proper motivation is lacking to combine Haynes `071 and Maggio `134 in a fashion which would arrive exactly at Applicants' claim 1. Applicants' claim 1 requires subjecting the fibers to an applied electrostatic charge before the fibers enter the diffusion chamber. Haynes `071 shows an electrostatic charging unit and target electrode

located at the bottom of the drawing slot. However, Maggio '134 teaches at col. 3 lines 39-43 that, "The above diffuser makes it possible to precisely adjust the width of the bundle of fibers and also the impact speed of the filaments on the receiving belt. The electrostatic charging assembly being able to be situated, where appropriate, downstream of the diffuser assembly, but preferably being integrated inside the latter, thereby accentuating the opening of the bundle of filaments". (emphasis added). Please note also that Maggio '134 at col. 4 lines 16-18 states, "FIG. 3 illustrates a modified embodiment according to the invention in which the electrostatic charging of the filaments is obtained by way of a rail integrated inside the diffuser..." (emphasis added).

Therefore, as noted in the Office Action, Maggio '134 does teach that the diffuser makes it possible to adjust the bundle width and the filament impact speed. However, Maggio '134 also states (in the emphasized text) that the electrostatic charger is to be situated either downstream of the diffuser or (preferably) integrated inside the diffuser. It appears that in neither case does the apparatus as taught in Maggio '134 apply the charge to the fibers before the fibers enter the diffuser assembly. Applicants submit that, absent the impermissible use of the hindsight teachings of their Application, one skilled in the art would not select one aspect of Maggio '134 (the diffuser assembly) and combine it with Haynes '071, but then ignore the teachings associated with and integral to the use of that diffuser as per Maggio '134.

Second, even if one skilled in the art were to combine Haynes '071 and Maggio '134 in a way that ignores the teachings of Maggio '134 related to such a diffuser, by taking the charging assembly out of the diffuser of Maggio '134 and placing it instead above the diffuser, Applicants submit that one skilled in the art would still not arrive at their invention. As noted above, in the Office Action it was stated that Haynes '071 teaches oppositely directed electrostatic charging units. However, it appears that what Haynes '071 demonstrates is one "electrostatics unit 18 including rows 20 of pins producing a corona discharge against target electrodes 22 and deflector 24" (please see Haynes '071 at p. 12, lines 20-21) rather than two, oppositely directed electrostatic charging units. It is noted that Haynes '071 teaches with respect to Fig. 2 that there may be multiple charging bars such as the four bars 213, 215, 217, 219 (see also Haynes '071 at p. 13 lines 14-16), but these are all located together on the same side of the drawing slot.

Therefore, Applicants respectfully submit that the rejection of claim 1 under 35 U.S.C. §103(a) over Haynes '071 in view of Maggio '134 should be withdrawn, first because the combination lacks proper motivation, and second because such a combination does not appear to teach all the elements of Applicants' claim 1.

Haynes '071 in view of Maggio '134, further in view of WO 93/21370 to Trimble ("Trimble")

On pages 8 and 9 of the Office Action mailed March 22, 2006, the Examiner rejected claim 2 under 35 U.S.C. §103(a) as allegedly being obvious over Haynes '071 in view of Maggio '134, and further in view of WO 93/21370 to Trimble (hereinafter, "Trimble"). This rejection is respectfully **traversed** to the extent it may be applicable to claim 2. Claim 2 depends from claim 1 (described above) and presents the method of claim 1 wherein the electrostatic charging units are in a staggered configuration.

It was stated in the Office Action that the combination of Haynes '071 and Maggio '134 does not appear to teach staggered electrostatic charging units. (Note, as of the Office Action claim 2 recited that at least one electrostatic charging was located substantially closer to the diffusion chamber than another and this was the specific language referenced in the Office Action. Claim 2 is currently amended to instead recite the staggered configuration). It was stated in the Office Action that Trimble teaches making the electrostatic charging units locations staggered (reference was made to Trimble at Fig. 4 and p. 15, lines 24-27) and stated that it would be obvious to combine Trimble's charging unit locations with the teachings of the other documents, "in order to form a more even distribution of filaments".

As an initial matter, Applicants again submit that the initial combination of Haynes '071 and Maggio '134 is defective, for at least the reasons given above, and does not make their claim 1 obvious, and this same reasoning applies to dependent claim 2. In addition, Applicants submit that the Office's understanding of the teachings of Trimble, as stated in the Office Action, is not correct, and that the combination of Haynes '071 in view of Maggio '134 and further in view of Trimble, even if one skilled in the art were motivated to make such, still fails to show their invention as in dependent claim 2. Trimble does not appear to teach two electrostatic charging units that are staggered or wherein one electrostatic charging unit is closer to a diffusion chamber than another. Instead, Trimble teaches a single electrostatic charging unit having vertically spaced apart rows of electrode

pins. In this regard, the disclosure of Trimble is similar to the teaching of Haynes '071 noted above with respect to Fig. 2 that there may be multiple charging bars such as the four bars 213, 215, 217, 219.

In addition, returning to Trimble's Fig. 4 discussion, Trimble states that the electrode pins are arranged in groups and mounted on "blocks" and the "blocks" are arranged in the vertically spaced rows within the floor of the cavity 70. It is these "blocks" in one row which Trimble states at p. 16 lines 5-12 may be "staggered" relative to the blocks in the other row – please take note that the statement that the blocks are "staggered" means they are staggered with respect to the horizontal so that the full width of the passageway is covered. For these reasons, addition of Trimble to the teachings of Haynes '071 in view of Maggio '134 does not teach the electrostatic charge being applied by two or more oppositely directed electrostatic charging units in staggered configuration, and therefore Applicants respectfully submit that the rejection of claim 2 under 35 U.S.C. §103(a) over Haynes '071 in view of Maggio '134, and further in view of Trimble, should be withdrawn.

Haynes '071 in view of Maggio '134, further in view of U.S. Pat. No 6,117,379 to Haynes ("Haynes '379")

On pages 9 and 10 of the Office Action mailed March 22, 2006, the Examiner rejected claims 4 and 5 under 35 U.S.C. §103(a) as allegedly being obvious over Haynes '071 in view of Maggio '134, and further in view of U.S. Pat. No 6,117,379 to Haynes (hereinafter, "Haynes '379"). This rejection is respectfully **traversed** to the extent it may be applicable to current claims 4-5. Claims 4 and 5 depend from claim 1 (described above) and present the method of claim 1 wherein the pneumatic attenuation force is provided by perturbed attenuation air (claim 4) and wherein at least one of the opposed diverging sidewalls of the diffusion chamber includes at least one vortex generator (claim 5).

It was stated in the Office Action that the combination of Haynes '071 and Maggio '134 does not appear to teach use of perturbed attenuation air and does not appear to teach that at least one of the opposed diverging sidewalls of the diffusion chamber includes at least one vortex generator. It was stated in the Office Action that Haynes '379 teaches using "a bar arrangement 10 in front of airflow, which causes turbulent (perturbed) gas flow" and reference was given to Haynes '379 at col. 1, lines 62-67. It was stated in



the Office Action that it would be obvious to combine the bar arrangement of Haynes `379 with the teachings of the other documents. With respect to Applicants' claim 4, the bar arrangement would be combined "in front of the air flow of the drawing chambers", "in order to quench or cool via better penetration of the gas among the filaments". With respect to Applicants' claim 5, the bar arrangement would be combined in front of the air flow of the diffusion chamber of Maggio `134, because it would cause turbulence and "it is desirous to slow down the air flow at the exit of the diffusion chamber in order to distribute the filaments randomly over a receiving belt".

As an initial matter, Applicants again submit that the initial combination of Haynes `071 and Maggio `134 is defective, for at least the reasons given above, and does not make their claim 1 obvious, and this same reasoning applies to dependent claims 4 and 5. In addition, Applicants submit that the Office's apparent understanding of the teachings of Haynes `379, as stated in the Office Action, is not correct. Even if one skilled in the art were to attempt to make the suggested combinations of the Haynes `379 improved quenching techniques with the combination of Haynes `071 in view of Maggio `134, one would still not arrive at the invention as claimed in claims 4 and 5. First, one skilled in the art would not be motivated to attempt to take the teachings of Haynes `379, which relate to improved fiber quenching via induced quench air turbulence, and apply them to the fiber attenuator or diffusion chamber. Please note Haynes `379 shows a bar arrangement having a plurality of bars, through which the quench gas is passed (Fig. 1, Fig. 2, whole document). Applicants submit that this bar arrangement is not suitable for placement over or in front of the air flows of either of the drawing unit of Haynes `071 or the diffusion chamber of Maggio `134. Please note Haynes `071 Fig. 1 and Maggio `134 Fig. 2 or Fig. 3; the opening for the air flows in these devices presents only a narrow nozzle or gap which, from the appearance of the bar arrangement 10 shown in Fig. 1 of Haynes `379, even a single bar would substantially or wholly block. Furthermore, Applicants submit that given the close tolerances shown between the fiber travel path and the air nozzle or gap in the Haynes `071 drawing unit and the Maggio `134 diffusion chamber, placement of such a bar arrangement presents a serious risk of impeding or stopping fiber flow due to catching of the fibers on the bar arrangement. For at least these reasons, one skilled in the art would be dissuaded from making a combination having no reasonable chance of success.

In addition, even if one skilled in the art were to somehow get such a bar arrangement in front of the airflows of the two devices as suggested in the Office Action, one would still not arrive at the invention as claimed. For example, please see the Application Specification at page 19, line 18 and bridging onto page 20 where perturbation of the attenuation air is described, "Also defining the attenuation chamber 430 are upper eductor sides 412 and 422. High velocity air is admitted into the attenuation chamber to draw or attenuate the fibers via either or both of air plenums 414 and 424 through nozzle gaps 416 and 426... Air may be supplied to air plenums 414 and 424 by one or more blowers or pumps (not shown). The air admitted to the attenuation chamber via nozzle gaps 416 and 426 may desirably be perturbed to enhance the machine direction bundle spread of the fibers by the use of one or more mechanical perturbation valves which alternately perturb the air flow being fed into the two plenums, which serves to alternately augment the pressure of the air within the two plenums. Such perturbation of drawing air is described in U.S. Pat. No. 5,807,795 to Lau et al...". Applicants submit that creating turbulence in the quench air, or even in the drawing chamber air flow or the diffusion chamber air flow, is not the same as perturbing the air flow by alternately augmenting the pressure.

For the reasons stated above, Applicants submit that the instant combination of Haynes `071 in view of Maggio `134, and further in view of Haynes `379 has not been shown to make their invention as claimed in claims 4 and 5 obvious, and therefore respectfully submit that the rejection of claims 4 and 5 under 35 U.S.C. §103(a) over Haynes `071 in view of Maggio `134, and further in view of Haynes `379, should be withdrawn.

Maggio `381 in view of Haynes `071

On pages 10 and 11 of the Office Action mailed March 22, 2006, the Examiner rejected claim 12 under 35 U.S.C. §103(a) as allegedly being obvious over Maggio `381 as applied to claim 11 and in view of Haynes `071. Claim 12 is now canceled, but claim 11 now incorporates the subject matter of claim 12 and therefore this rejection remains relevant. This rejection is respectfully **traversed** to the extent it may be applicable to current claim 11.

Claim 11 presents a method of making a nonwoven web, including providing a plurality of fibers; subjecting the fibers to a pneumatic attenuation force in a drawing slot, the attenuation force imparting a velocity to the fibers; reducing the velocity of the fibers in a diffusion chamber, the diffusion chamber being formed substantially between opposed diverging sidewalls; subjecting the fibers to an applied electrostatic charge while the fibers are in the diffusion chamber, the electrostatic charge being applied by two or more oppositely directed electrostatic charging units wherein at least one electrostatic charging unit is located upon each of the diverging sidewalls; and thereafter collecting the fibers into a web on a moving forming surface.

In the Office Action, it was stated (with respect to the anticipation rejection of claim 11 over Maggio `381) that Maggio `381 teaches a process for forming a nonwoven similar to that of Applicants' claim 11, but does not appear to teach having oppositely directed electrostatic charging units with at least one electrostatic charging unit located upon each of the diverging sidewalls of the diffusion chamber. It was then stated in the Office Action that Haynes `071 teaches oppositely directed electrostatic charging units and reference was made to Haynes `071 at Fig. 1, and it was stated that one skilled in the art would combine the references in order to "give improvements maximum overall voltage", "improve formation", and "because it is a known configuration for electrostatic charging".

Applicants submit that no proper motivation to combine the references has been shown. Maggio `381 does not appear to discuss a need for greater voltages or maximizing voltages; in fact, Maggio `381 does not appear to discuss voltage at all. Therefore it cannot be determined whether (or not) the Maggio `381 authors already contemplated a voltage somewhat, or even significantly, higher than the voltages given in Haynes `071. Likewise, Maggio `381 already states that his invention achieves on its own improved nonwoven formation, and there is provided no motivation to further modify it.

In addition, even if one skilled in the art combines Maggio `381 and Haynes `071, Applicants submit this combination fails to teach all the elements of their claim 11 as currently constituted. It should be noted that it appears that Haynes `071 demonstrates one "electrostatics unit 18 including rows 20 of pins producing a corona discharge against target electrodes 22 and deflector 24" (please see Haynes `071 at p. 12, lines 20-21) – i.e., one electrostatic charging unit and one target, rather than two, oppositely directed electrostatic

charging units. It is also noted that Haynes `071 teaches with respect to Fig. 2 that there may be multiple charging bars such as the four bars 213, 215, 217, 219 (see also Haynes `071 at p. 13 lines 14-16), but these charging bars are all located together on the same side of the drawing slot.

Therefore, Applicants respectfully submit that the rejection of claim 11 under 35 U.S.C. §103(a) over Maggio `381 in view of Haynes `071 should be withdrawn, because the combination has not been shown to be properly motivated and, even if combined as suggested, still does not appear to teach all the elements of Applicants' claim 11.

Maggio `381 in view of Haynes `071, further in view of Trimble

On pages 11 and 12 of the Office Action mailed March 22, 2006, the Examiner rejected claim 13 under 35 U.S.C. §103(a) as allegedly being obvious over Maggio `381 in view of Haynes `071 as applied to claim 12, and further in view of Trimble. This rejection is respectfully **traversed** to the extent it may be applicable to current claim 13. Claim 11 is described above, and claim 13, which depends from claim 11, presents the method of claim 11 wherein at least one electrostatic charging unit is located substantially closer to the drawing slot than at least one other electrostatic charging unit.

It was stated in the Office Action that the combination of Maggio `381 and Haynes `071 does not appear to teach at least one electrostatic charging unit is located substantially closer to the drawing slot than at least one other electrostatic charging unit. It was also stated in the Office Action that Trimble teaches making the electrostatic charging units locations staggered (reference was made to Trimble at Fig. 4 and p. 15, lines 24-27) and stated that it would be obvious to combine Trimble's charging unit locations with the teachings of the other documents, "in order to form a more even distribution of filaments".

As an initial matter, Applicants again submit that the initial combination of Maggio `381 and Haynes `071 is defective, for at least the reasons given above, and does not make their claim 11 obvious, and this same reasoning applies to dependent claim 13. In addition, Applicants submit that the Office's understanding of the teachings of Trimble, as stated in the Office Action, is not correct, and that the combination of Maggio `381 in view of Haynes `071 and further in view of Trimble, even if one skilled in the art were motivated to make such, still fails to show their invention as in dependent claim 13.

Trimble does not appear to teach two electrostatic charging units that are staggered or wherein one electrostatic charging unit is closer to a diffusion chamber than another. Instead, Trimble teaches a single electrostatic charging unit having vertically spaced apart rows of electrode pins. In this regard, the disclosure of Trimble is similar to the teaching of Haynes '071 noted above with respect to Fig. 2 that there may be multiple charging bars such as the four bars 213, 215, 217, 219.

In addition, returning to Trimble's Fig. 4 discussion, Trimble states that the electrode pins are arranged in groups and mounted on "blocks" and the "blocks" are arranged in the vertically spaced rows within the floor of the cavity 70. It is these "blocks" in one row which Trimble states at p. 16 lines 5-12 may be "staggered" relative to the blocks in the other row – please take note that the statement that the blocks are "staggered" means they are staggered with respect to the horizontal so that the full width of the passageway is covered. For these reasons, addition of Trimble to the teachings of Maggio '381 in view of Haynes '071 does not teach the electrostatic charge being applied by two or more oppositely directed electrostatic charging units wherein at least one electrostatic charging unit is located substantially closer to the drawing slot than at least one other electrostatic charging unit, and therefore Applicants respectfully submit that the rejection of claim 13 under 35 U.S.C. §103(a) over Maggio '381 in view of Haynes '071, and further in view of Trimble, should be withdrawn.

Maggio '381 in view of Haynes '379

On pages 12 and 13 of the Office Action mailed March 22, 2006, the Examiner rejected claim 14 under 35 U.S.C. §103(a) as allegedly being obvious over Maggio '381 as applied to claim 11, in view of Haynes '379. Claim 14, which depends from claim 11, presents the method of claim 11 wherein the pneumatic attenuation force is provided by perturbed attenuation air. Inasmuch as claim 11 now incorporates the subject matter of original claim 12, and claim 12 formed no part of the rejection over this combination, Applicants believe this rejection to be now moot and respectfully request this rejection be withdrawn.

Schmit `in view of Haynes `379

On pages 13 and 14 of the Office Action mailed March 22, 2006, the Examiner rejected claims 14-16 ostensibly under 35 U.S.C. §102(b) as allegedly being anticipated by Schmit, "and further in view of Haynes `379". Applicants presume this to have been intended as an obviousness rejection of claims 14-16 under 35 U.S.C. §103(a) over Schmit in view of Haynes `379. Claims 14-16 all depend from claim 11. Inasmuch as claim 11 now incorporates the subject matter of original claim 12, and claim 12 formed no part of the rejection of claims 14-16 over this combination, Applicants believe this rejection to be now moot and respectfully request this rejection be withdrawn.

For at least the reasons stated above, it is respectfully submitted that all of the currently presented claims are in form for allowance.

Please charge any prosecutorial fees which are due to Kimberly-Clark Worldwide, Inc. deposit account number 11-0875.

The undersigned may be reached at 770-587-8908. Should any issues remain after consideration of the remarks and explanations made herein, Examiner Butler is invited and encouraged to telephone the undersigned at his convenience.

Respectfully submitted,

ERIC EDWARD LENNON ET AL.

By: /Robert A. Ambrose/

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CERTIFICATE OF TRANSMISSION

I, Robert A. Ambrose, hereby certify that on September 22, 2006, this document is being transmitted to the United States Patent and Trademark Office via the EFS-Web System.

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